

move [BROADCASTING, May 2]).

FCC has adopted new rules more narrowly defining those television markets where, in accordance with Cable Act, rates of cable systems cannot be regulated because systems are subject to effective competition. FCC opened rulemaking in response to U.S. Court of Appeals, which upheld FCC's basic ruling that effective competition exists where three broadcast signals are available. But it said that definition of available was too broad.

Parameters of local cable regulation are also being reset outside Washington. Two federal judges in northern district of California, in decisions issued in September 1987, ruled cities' cable franchise provisions requiring cable operators to provide access channels and universal service and to build and maintain state-of-art cable systems violate cable operators' First Amendment rights.

Comparative Renewal

FCC is moving ahead with plans to revamp comparative renewal process. At National Association of Broadcasters convention, FCC Chairman Dennis Patrick called for changes to curb use of process to force broadcasters into lucrative settlements and to establish "clearly articulated standard" that, if met, would assure broadcasters "a reasonable expectation of renewal."

Assuaging concerns of NAB, Patrick indicated FCC would stop short of adopting changes that would virtually assure license renewal. NAB feared that such an approach could cause congressional backlash.

Reform has some support on Hill, particularly from Republicans. Seventeen Republican members of House Commerce Committee sent letter to FCC Chairman Dennis Patrick urging him to reform comparative license renewal procedures.

Leibowitz & Spencer, Miami-based communications law firm, has asked FCC to expedite its earlier petition for reform rulemaking to put potential challengers on notice that applications may be subject to more stringent scrutiny than in past.

Talk of reform comes against backdrop of license challenge of CBS's WBBM-TV Chicago by group headed by local attorney, Brenda Minor. Many communications attorneys believe case underscores vulnerability of broadcasters with good track records to costly and time-consuming challenges. FCC has also ordered comparative renewal for Viacom's KMOV-TV St. Louis and is preparing order affecting at least five other television stations.

Compulsory License

FCC is conducting inquiry into cable compulsory license; if views of FCC Chairman Dennis Patrick are guide, inquiry could lead to recommendation that Congress abolish license. At Association of Independent Television Stations convention in January, Patrick said world in which cable can refuse to carry independent's signal while enjoying right to carry any signal it pleases is intolerable. Reexamination of license on Capitol Hill could occur in con-

BY THE NUMBERS

Summary of broadcasting and cable

BROADCASTING			
SERVICE	ON AIR	CP's	TOTAL*
Commercial AM	4,908	170	5,078
Commercial FM	4,045	418	4,463
Educational FM	1,314	173	1,487
■ Total Radio	10,267	761	11,028
FM translators	789	444	1,233
Commercial VHF TV	538	23	561
Commercial UHF TV	481	222	703
Educational VHF TV	118	3	121
Educational UHF TV	212	25	237
■ Total TV	1,349	273	1,622
VHF LPTV	93	74	167
UHF LPTV	258	136	394
■ Total LPTV	351	210	561
VHF translators	2,869	186	3,055
UHF translators	1,921	295	2,216
ITFS	250	114	364
Low-power auxiliary	824	0	824
TV auxiliary	7,430	205	7,635
UHF translator/boosters	6	0	6
Experimental TV	3	5	8
Remote pickup	12,338	53	12,391
Aural STL & intercity relay	2,836	166	3,002

* Includes off-air licenses.

† Penetration percentages are of TV household universe of 88.6 million.

CABLE	
Total subscribers	45,000,000
Homes passed	71,500,000
Total systems	8,000
Household penetration†	51.1%
Pay cable penetration	28.6%

text of broadcasters' efforts to resurrect must-carry requirements there. House Telecommunications Subcommittee member John Bryant (D-Tex.) has offered legislation (BROADCASTING, April 4) that would condition compulsory license on whether cable operator is carrying local broadcast signals. NAB television board has directed staff to investigate all aspects of compulsory license as part of joint board's consideration of must-carry issues. In comments on license inquiry, cable generally supported retention of license while program producers opposed it. NAB softened its long-standing opposition, arguing that license should be left alone for time being.

Direct Broadcast Satellites

■ Latest round of applications filed April 8 at FCC brings current total to nine U.S. firms holding or seeking DBS construction permits (BROADCASTING, April 25). Although threat to C-band cable distribution market is cited as

major reason for wait-and-see stance in U.S. on high-power DBS—which would use Ku-band spectrum set aside for it—Tempo Satellite, 51% owned by Telecommunications Inc., largest U.S. cable system operator, is among applicants. FCC now awaits industry comments on mix of four new applicants, three requests for construction permit modifications and one request for four-year extension.

TCI backing may indicate that Ku-band direct-to-home delivery of entertainment programming, already dominant mode of program distribution in Japan and moving fast in Europe, may be on verge of becoming reality in U.S. DBS's value rests on ability to receive high-power signals with very small earth stations.

Death of West Germany's start-up DBS bird, TV-Sat1 (BROADCASTING, Feb. 22), left two state-owned programmers and two commercial programmers without home. Other European DBS birds with similar, if not identical, design—Germans' TV-Sat2 and France's TDF-1—are still scheduled for ArianeSpace launch within next year (although French government

July 24-26—California Broadcasters Association summer convention. Hyatt Regency hotel, Monterey, Calif. Information: (916) 444-2237.

July 25—Synditel, presentation of first-run television programming, at beginning of network press tours for television critics (July 25-Aug. 11). Registry hotel, Universal City, Calif. Information: (213) 653-3900.

July 30—Florida Associated Press Broadcasters 40th annual meeting and awards luncheon. Hotel Sofitel, Miami.

July 30-Aug. 6—TV meteorologist short course, offered by *Lyndon State College*, Lyndonville, Vt. Information: (802) 626-9371.

August

Aug. 5-7—Minnesota Broadcasters Association annual convention. Radisson Duluth, Duluth, Minn. Information: (612) 926-8123.

Open Mike

'Weekend' update

EDITOR: BROADCASTING magazine ran an article in the April 25 edition entitled "Slow Start for 'Great Weekend'" that we found very disparaging and in several areas inaccurate.

As an example, we increased the number of stations from 16 when we went on the air on Jan. 2 to 57 stations today and are adding 5 to 6 new stations every week. We believe this is a fast start, not a slow start as the article reads.

Great Weekend is number one or two in delivering 18+ adults on 13 of the 20 stations surveyed in the February sweeps. This is not a sign that the adult audience on Saturday morning is elusive.

The article also reported that *Great Week-*

end delivered 35,000 adults on KSTP Minneapolis per average telecast in the two runs at 8-9 a.m. and 9-10 a.m., when in fact in the February NSI *Great Weekend* delivered 68,000 adults 18+ from 8-9 a.m. and 47,000 adults from 9-10 a.m., which is an increase of 61,000 from the November 1987 NSI at 8-9 a.m. and 40,000 at 9-10 a.m.

In New York, the second week's rating on WWOR was a 3.3, up from the 2.1 the time period normally delivers.

We receive daily praise from our affiliates on the quality and content of *Great Weekend*. Stations all over the country that would not consider *Great Weekend* at the beginning are now opening up all new opportunities to get *Great Weekend* for their markets. In the last two weeks alone, we have cleared WTVJ-TV Miami; WJLA-TV Washington; WTVG-TV

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